

12-21-01

Attorney Docket No.: C10397058

Box 156A

| | | |
|---|--|--------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No. | C10397058 |
| | First Named Inventor or Application Identifier | |
| | Davis, Heather L. | |
| | Express Mail Label No. | EL844453390US |
| Date of Deposit | | December 18, 2001 |

| | |
|--|---|
| APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i> | ADDRESS Box Patent Application TO: Commissioner for Patents Washington, DC 20231 |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> <input type="checkbox"/> Statement filed in prior application, status still proper and desired. 3. <input checked="" type="checkbox"/> Specification - Total pages 71 59 - pages description 1 - pages abstract 11 - pages claims 98 - Total claims 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) 12 - Total sheets <input type="checkbox"/> Informal <input checked="" type="checkbox"/> Formal 12 - Total drawings 5. <input checked="" type="checkbox"/> Oath or Declaration - Total pages a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <i>[Note Box 6 below]</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Incorporation by Reference <i>(usable if Box 5b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. See 19. 7. <input checked="" type="checkbox"/> Application Data Sheet, See 37 CFR 1.76 | 8. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix) 9. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. <input checked="" type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper (identical to computer copy) c. <input checked="" type="checkbox"/> Statement verifying identity of above copies ACCOMPANYING APPLICATION PARTS 10. <input checked="" type="checkbox"/> Assignment Papers/cover sheet & documents(s) 11. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney 12. <input type="checkbox"/> English Translation of Document <i>(if applicable)</i> 13. <input type="checkbox"/> Information Disclosure Statement/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 14. <input type="checkbox"/> Preliminary Amendment 15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 16. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 17. <input type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii) 18. <input type="checkbox"/> Other: _____ _____ |

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the body of the application, or a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/325,193, filed on June 3, 1999, entitled Use of Nucleic Acids Containing Unmethylated CpG Dinucleotide as an Adjuvant and now pending.

☒ Cancel in this application claims 36-98 before calculating the filing fee.

☐ Amend the specification by inserting before the first line of the specification on page 1, after the title, the following:

--This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: , filed on , entitled and now .--

Prior application information: Examiner A. Salimi Group Art Unit: 1648.

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

20. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:



23628

OR

| | | | | | |
|---|------------------------------------|-----------|----------------|-----|----------------|
| ATTORNEY'S NAME | Helen C. Lockhart, Reg. No. 39,248 | | | | |
| FIRM NAME | Wolf, Greenfield & Sacks, P.C. | | | | |
| ADDRESS | 600 Atlantic Avenue | | | | |
| CITY | Boston | STATE | MA | ZIP | 02210 |
| COUNTRY | USA | TELEPHONE | (617) 720-3500 | FAX | (617) 720-2441 |
| | | | | | |
| 20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | | |
| NAME | Helen C. Lockhart, Reg. No. 39,248 | | | | |
| SIGNATURE | | | | | |
| DATE | December 18, 2001 | | | | |

10323905 743001

Inventor or Identifier: Health L. Davis et al.

Serial No: Not yet assigned

Filed: Herewith

For: USE OF NUCLEIC ACIDS CONTAINING
UNMETHYLATED CpG DINUCLEOTIDE AS AN
ADJUVANT

CHECK BOX, if applicable:

☐ DUPLICATE

Fee Calculation Sheet

| CLAIMS | FOR | NUMBER FILED | NUMBER EXTRA | RATE | FEE |
|--|-----|--------------|--------------|----------------------------------|-------------|
| TOTAL CLAIMS (37 CFR 1.16(c)) | | 35-20= | 15 x | \$18 | = \$ 270.00 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | | 1-3= | 0 x | \$84 | = \$ 0.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) + | | | | \$280 | = \$ |
| | | | | BASIC FEE (37 CFR 1.16(a)) | \$ 740.00 |
| Total of above Calculations = | | | | | \$ 1,010.00 |
| Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). | | | | | \$ |
| Assignment Recordation Fee (if any) | | | | | \$ |
| Other Fees (if any). | | | | | \$ |
| TOTAL = | | | | | \$ 1,010.00 |

1. A check in the amount of \$1,010.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ 1.16 or 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ 1.16 or 1.17 or 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.


 Helen C. Lockhart, Reg. No. 39,248
 Wolf, Greenfield & Sacks, P.C.
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 (617) 720-3500
 Attorneys of Record
Docket No. C1039/7058(HCL)
Date: December 18, 2001

Express Mail Label No. EL844453390US

Date of Deposit: December 18, 2001

Attorney Docket No: C1039/7058(HCL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Davis et al.
Serial No.: Not Yet Assigned
Filed: Herewith
For: USE OF NUCLEIC ACIDS CONTAINING UNMETHYLATED CPG
DINUCLEOTIDE AS AN ADJUVANT
Examiner: Not Yet Assigned
Art Unit: 1648

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

STATEMENT PURSUANT TO 37 CFR 1.821(f)

Sir:

This statement is made pursuant to 37 CFR 1.821(f). Applicants enclose herewith a copy of the Sequence Listing and a computer readable diskette. Applicants' attorney states that the content of the paper copy of the Sequence Listing and the computer readable diskette contain the identical information.

Respectfully submitted,



Helen C. Lockhart
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(617)720-3500

Docket No. C1039/7058(HCL)
Date: December 18, 2001
XNDD

InTransCo, Inc.

INTERNATIONAL TRANSLATION COMPANY

TRANSLATIONS FROM AND INTO ALL LANGUAGES PREPARED BY SPECIALISTS

P.O. BOX 239
LYNNFIELD, MA 01940
(781) 334-3123
FAX (781) 334-4445

CERTIFICATION OF TRANSLATION

Title of Translated Document: Certificate of Name Change

Original Language of Translated Document: **German**

The undersigned declares that:

1. I am a professional translator with English as a native language and German as an acquired language. With over thirty years of full-time translating experience in general, business, technical, chemical and related fields.
2. To the best of my knowledge and belief, the attached is a true, accurate and complete English translation of the above-referenced German document.

Date: 1/12/01

Signature: A.M. Russell

A.M. Russell

10023900-121001